

Message Text

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PAGE 01 NAIROB 00757 161449Z
ACTION SY-05

INFO OCT-01 ISO-00 /006 W
-----022246 161523Z /53
R 161407Z JAN 78
FM AMEMBASSY NAIROBI
TO SECSTATE WASHDC 4243
INFO AMEMBASSY LILONGWE

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SY CHANNEL

DEPT FOR CHIEF, A/SY/SAS FROM RSO

EO 11652: NA
TAGS: ASEC
SUBJECT: CHECK FRAUD - LILONGWE

REF: STATE 008432 AND PREVIOUS

1. DURING RECENT VISIT TO LILONGWE, MALAWI POLICE WERE
QUERIED REGARDING NECESSITY OF ORIGINAL CHECK FOR COURT
PRESENTATION UNDER BEST EVIDENCE RULE. POLICE ADVISED THAT
ORIGINAL CHECK WOULD BE REQUIRED UNDER MALAWI RULES
OF EVIDENCE (BASED ON BRITISH STANDARDS). THIS WAS CONFIRMED
BY A BRITISH DOCUMENTS EXAMINER EMPLOYED BY THE KENYA POLICE
AS WELL AS INADMISSIBILITY OF A REPORT ONLY WITHOUT EXPERT
TESTIMONY (AS SUGGESTED PARA 3 REFTTEL).

2. DURING THIS SAME VISIT RSO QUERIED MALAWI POLICE
REGARDING THE EXTENT OF THEIR INVESTIGATION AND AMOUNT
EVIDENCE GATHERED REGARDING SUSPECT ALEX NSEWA, AN EMBASSY
DRIVER. POLICE INDICATED THAT THE ONLY EVIDENCE TYING
NSEWA TO FRAUD WAS THAT OF HANDWRITING COMPARISON AND
THAT THEY HAD CONDUCTED NO FURTHER INVESTIGATION OF CASE
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PAGE 02 NAIROB 00757 161449Z

BUT WERE READY TO ARREST AND CHARGE NSEWA. IN VIEW OF
THE FACT THAT THE ENDORSEMENT ON THE CHECK APPEARED TO
BE A REASONABLE COPY OF PAYEE'S SIGNATURE, THAT NSEWA DID
NOT HAVE ACCESS TO PAYEE'S SIGNATURE AND THAT BANK CASHIER
WHO HANDLED CHECK COULD NOT IDENTIFY NSEWA, RSO AND POST
WERE HIGHLY SKEPTICAL OF POLICE CONCLUSIONS. SAMPLES OF
NSEWA'S HANDWRITING AND OF ALL OTHER FSLE SUSPECTS WERE

GIVEN TO PREVIOUSLY MENTIONED EXPATRIATE DOCUMENTS EXAMINER. HE WAS OF OPINION THE HANDWRITING IN QUESTION WAS NOT THAT OF NSEWA AS INDICATED BY MALAWI POLICE. (COMMENT: THE COMPETENCY OF THE MALAWI POLICE HAS ALWAYS BEEN QUESTIONABLE. CONSIDERING RSO AND EMBASSY PRESSURE ON CASE AND NSEWA'S MINORITY TRIBAL AFFILIATION, IT IS ENTIRELY POSSIBLE THAT POLICE WERE TRYING TO CLOSE CASE ON LESS THAN SUFFICIENT EVIDENCE.) EXPATRIATE EXAMINER WAS OF OPINION THAT HANDWRITING BORE THE STRONGEST RESEMBLANCE TO THAT OF PETER CHIMUTO, FORMER EMBASSY MAIL CLERK PRESENTLY A SELF-EMPLOYED GROCERY STORE OWNER IN BLANTYRE. MALAWI POLICE HAVE BEEN ADVISED OF THIS.

3. DUE TO CONTENTS OF REFTEL IT WOULD APPEAR THAT CRIMINAL PROSECUTION IN THIS CASE IS UNLIKELY. HOWEVER, RSO AND POST WOULD LIKE TO CLEAR PRESENT FSLES OF ANY INVOLVEMENT. ACCORDINGLY REQUEST THE FOLLOWING:

A. A HIGH RESOLUTION (FINE GRAIN) PHOTOGRAPH, EXACT SIZE, BE TAKEN OF BOTH SIDES OF CHECK BEFORE PROCESSING FOR LATENTS.

B. CHECK BE PROCESSED FOR LATENTS BY FBI LAB AND A PHOTO IDENTICAL TO TYPE REQUESTED IN A. BE TAKEN AFTER PROCESSING.

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PAGE 03 NAIROB 00757 161449Z

C. BOTH CHECK PHOTOS WITH NEGATIVES BE SENT TO RSO NAIROBI.

4. PLEASE STRESS TO TREASURY THAT CHECK PHOTOS WILL BE FOR INTERNAL USE ONLY AND WILL NOT BE TURNED OVER TO ANY FOREIGN GOVERNMENT OR BANKING AGENCY.

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: SY
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 16 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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Executive Order: N/A
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From: NAIROBI
Handling Restrictions: n/a
Image Path:
ISecure: 2
Legacy Key: link1978/newtext/t19780159/aaaabybo.tel
Line Count: 102
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE
Message ID: 388f63e3-c288-dd11-92da-001cc4696bcc
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Retention: 0
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Review Content Flags: ANOMALY
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3768545
Secure: LOCK1
Status: NATIVE
Subject: CHECK FRAUD - LILONGWE
TAGS: AFIN, ASEC, MI
To: STATE LILONGWE
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vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/388f63e3-c288-dd11-92da-001cc4696bcc
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